

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

IT,E&C Department – Indian Telegraph Right of Way Rules, 2016 notified by the Government of India (GoI) - Andhra Pradesh Right of Way (RoW) Guidelines 2021– Process of granting permission for installation of Underground and Overground Infrastructure - Orders – Issued

**INFORMATION TECHNOLOGY, ELECTRONICS & COMMUNICATIONS DEPARTMENT  
(Communications Wing)**

**G.O. Ms.No.8**

**Dated: 06.09.2021**

**Read the following:**

No.139	1. G.O.Ms.No.5, Finance and Planning Department, Dated 11.02.2000.	G.974
	2. G.O.Ms.No.18, IT,E&C Department, Dated 27.10.2000.	
	3. Circular Memo No.2084/IT&C/2009, Dated 10.05.2009.	
	4. G.O.Ms.No.45, IT,E&C Department, Dated 17.10.2001.	
<b>NOTIFICATIONS BY GOVERNMENT</b>		
	5. G.O.Ms.No.16, IT,E&C Department, Dated 20.10.2001.	
	6. G.O.Ms.No.163, MA&UD Department, Dated 27.02.2006.	
	7. G.O.Ms.No.334, PR&RD Department, Dated 09.10.2012.	
	8. G.O.Ms.No.2, MA&UD Department, Dated 01.01.2013.	
	9. G.O.Ms.No.4, MA&UD Department, Dated 02.01.2013.	
	10. G.O.Ms.No.380, MA&UD Department, Dated 01.08.2013.	
	11. G.O.Ms.No.12, IT,E&C Department, Dated 28.07.2014.	
	12. G.O.Ms.No.20, IT,E&C Department, Dated 26.09.2014.	
	13. G.O.Ms.No.203, MA&UD Department, Dated 01.10.2014.	
	14. G.O.Ms.No.25, IT,E&C Department, Dated 09.12.2014.	
	15. Memo No.569/IT/IT,E&C/Comm/2014, Dated 15.12.2014.	
	16. Circular Memo No.5744/ITE&C/CP/2014 Dated 22.12.2014.	
	17. G.O.Ms.No.1, IT,E&C Department, Dated 02.01.2015	
	18. G.O.Ms.No.146, MA&UD Department, Dated 19.06.2015.	
	19. Gazette of India G.S.R.No.1070, DoT, Gol dated 15.11.2016 notifying the Indian Telegraph Right of Way (RoW) Rules, 2016.	
	20. Gazette of India, G.S.R.624(E), DoT, Gol Dated 19.06.2017.	
	21. G.O.Ms.No.60, TR&B Department Dated: 07.11.2017	
	22. G.O. Ms.No.2, TR&B Department Dated: 04.01.2019	
	23. G.O. Rt. No.12, IT,E&C Department Dated 25.03.2021.	
	24. G.O. Rt. No.13, IT,E&C Department Dated 25.03.2021.	
	25. G.O.RT.No.3286, General Administration Department (SC-D), Dated:30-09-2014	

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**ORDER:**

**1. Context**

The Government of Andhra Pradesh (GoAP) has been making sincere efforts to promote Information and Communication Technology (ICT) infrastructure in the State with the objective of improving the state of economy, enhancing the quality of life of the citizens, provide good governance and ensure development with equality. All these efforts essentially need availability of a robust telecommunication infrastructure with adequate bandwidth across the length and breadth of the State. The globally accepted method of creating broadband networks is through laying optical fibre as backbone. The optical fibre is to be laid along roads like the National highways, State Highways and other road networks belonging to the Transport, Roads & Buildings (TR&B), Panchayat Raj & Rural

Development (PR&RD), Municipal Administration & Urban Development (MA&UD) and Environment, Forests, Science and Technology (EFS&T) Departments. The Telecom Service Providers (TSPs) licensed by Department of Telecommunications (DoT) to provide telecom services in the State have been approaching the State Government for Guidelines for the issue of Right of Way (RoW) permissions for developing the Telecom infrastructure within the State. Based on that GoAP Departments have issued various GO's from time to time (Vide references 1<sup>st</sup> to 18<sup>th</sup> and 21<sup>st</sup> to 22<sup>nd</sup> read above) to grant the right of way permissions for over ground and underground telecom infrastructure in the AP State. With reference to Gazette notification 19<sup>th</sup> read above, GoI has issued the Indian Telegraph Right of Way Rules, 2016 and through 20<sup>th</sup> read above, GoI designated the Principal Secretary, Information Technology, Electronics & Communications (IT,E&C) Department, GoAP for RoW dispute resolutions in the State of AP.

## 2. Definitions

- 2.1. **State** means the State of Andhra Pradesh
- 2.2. **Licensee** means any person holding a license issued under Section 4 of the Indian Telegraph Act, 1885
- 2.3. **Telecom Service Provider (TSP)** means a licensee providing telephony services, including, inter alia, mobile phone services, internet and data transfer services etc.
- 2.4. **Infrastructure Provider (IP)** means infrastructure providers registered with Department of Telecommunications to set up telecom infrastructure in India.
- 2.5. **Applicant** means licensee/TSP including Infrastructure Provider (IP) category-1 authorized to establish and maintain assets such as dark fibres, Right of Way (RoW), duct space and tower for the purpose of granting the same on lease/ rent/ sale basis to licensees of telecom service licensed under Section 4 of the Indian Telegraph Act 1885 on mutually agreed terms and conditions.
- 2.6. **Fees** means administrative fees, permission charges, usage fees, utility fees as prescribed in these guidelines or any other tax or levy etc. that may be payable under any law; The fees or annual charges does not include Goods and Service Tax (GST), Labour cess and other applicable taxes.
- 2.7. **Permission** means any permission pertaining to these Guidelines for Telecom Infrastructure
- 2.8. **Administrative Authority** means the competent authority of a Government premise to issue clearances/permissions as per provisions of these Guidelines.
- 2.9. **Areas** means areas under the jurisdiction of appropriate competent/appropriate authority as outlined in these guidelines.
- 2.10. **Local Body** means the Gram Panchayats, Nagar Panchayats, Municipalities and Municipal Corporations constituted as per the relevant Acts.
- 2.11. **Municipal Corporation** means any area notified under the Andhra Pradesh Municipal Corporation Act, 1955 by the State Government from time to time.
- 2.12. **Urban Development Authority** means any area notified under the Andhra Pradesh Metropolitan Region and Urban Development Authority Act, 2016.
- 2.13. **Urban Areas** means all areas within a Nagar Panchayat or Municipality or Municipal Corporation.
- 2.14. **Rural Areas** means all areas except within Urban areas as defined above.
- 2.15. **Competent/ Appropriate authorities** means the designated officers for the purpose of giving the permission for setting up Telecom infrastructure as mentioned below:



#	Area	Urban/ Rural	Department	Competent/ Appropriate authorities
1	Municipal Corporation	Urban	MA&UD	Commissioner
2	Municipality/ Nagar Panchayat	Urban	MA&UD	Municipal Commissioner
3	Urban Development authority	Urban	MA&UD	Metropolitan Commissioner/ Vice Chairman
4	Gram Panchayat	Rural	PR&RD	Panchayat Secretary
5	Private properties including land/ buildings outside Municipality area or Master Plan or Scheme Area or Town Committee Area	Rural	PR&RD	Panchayat Secretary
6	State Government owned property including land/ buildings lying outside the Municipality area or Master Plan or Scheme Area or Town Committee Area	Rural	All departments	Panchayat Secretary
7	Roads under the State Government (R&B roads)	Urban & Local	R&B	Superintendent Engineer (SE)/ Executive Engineer (EE)
8	Roads under the State Government (PR roads)	Rural	PR Engineering	Superintendent Engineer (SE)/ Executive Engineer (EE)
9	Overhead Electric alignment (Poles etc)	Urban & Rural	APEPDCL APCPDCL APSPDCL	Superintendent Engineer (SE)/ Executive Engineer (EE)
10	Forest land/ Protected Area Networks	Urban /Rural	Forest Department	Divisional Forest Officer (DFO) (Territorial)/ Divisional Forest Officer (Wildlife)
11	District Head Quarters	Urban	Revenue Department	District Collector/Joint Collector/DRO

- 2.16. Master Plan Area** means any area notified for development by the State Government from time-to-time covering town/ towns and their adjacent outgrowths.
- 2.17. Scheme Area** means any area notified for preparing a scheme by State Government from time to time.
- 2.18. Telecom Infrastructure** means the 'over-ground telegraph infrastructure' and 'under-ground telegraph infrastructure'.
- 2.19. Over-ground telegraph infrastructure** means a telegraph, or a telegraph line established over the ground and includes posts or other above ground

contrivances, appliances, and apparatus for the purpose of establishment or maintenance of the telegraph or the telegraph line.

- 2.20. Under-ground telegraph infrastructure** means a telegraph line laid under the ground and includes manholes, marker stones, appliances and apparatus for the purposes of establishment or maintenance of the telegraph line.
- 2.21. Micro Communications Equipment** means a Pico/ Micro/ Pole site which is small in size and light in weight, deployed on buildings, utility/ streets poles, street furniture, indoors in large buildings viz. malls, convention centres and in areas having space constraints, narrow streets, densely populated areas and open public spaces.
- 2.22. Public Grievance** means grievances of public relating to installation of towers and issues related to Telecom infrastructure.
- 2.23. Guidelines** means the Andhra Pradesh Right of Way (RoW) Guidelines 2021, unless otherwise stated.

### 3. Objectives

- 3.1.** To streamline the process of applications and granting of permission for installation of mobile towers, laying of Optical Fibre Cable (OFC) and other Telecom infrastructure in a time bound manner.
- 3.2.** To increase Telecom penetration to the Gram Panchayat (GP) level.
- 3.3.** To enable reliable, affordable, high-quality telecommunication and internet services to the citizens.
- 3.4.** To enable high-speed and high-quality broadband access to the rural areas by leveraging technology.
- 3.5.** To encourage the adoption of green and citizen friendly Telecom sites through the use of renewable energy sources, light weight towers and silent Diesel Generators (DG).
- 3.6.** To encourage Local Cable Operators (LCOs) to provide internet connectivity to the last mile at GP level.
- 3.7.** To create awareness related to radiation from Telecom equipment.

### 4. Applicability of Guidelines

These Guidelines are applicable to all the Urban Local Bodies (ULBs) including Nagar Panchayats, Municipalities, and Municipal Corporations and to all the Gram Panchayats constituted under the relevant Acts.

### 5. Coordinating Department for implementing the Guidelines.

The IT,E&C department shall act as the Coordinating department from the Government of Andhra Pradesh for implementing these Guidelines

### 6. State Level and District Level Telecom Committees for implementing the guidelines.

#### 6.1. State Level Telecom Committee (SLTC)

Government reconstituted the State Broadband Committee vide G.O.Rt.No.12 dated 25.03.2021 and the composition of the State Broadband Committee is as follows:

#	Designation	Affiliation
1	Chief Secretary to Govt.	Chairperson
2	Spl. C.S. to Govt., EFS&T Dept.	Member
3	Prl. Secretary to Govt., PR&RD Dept.	Member



#	Designation	Affiliation
4	Prl. Secretary to Govt., TR&B Dept.	Member
5	Prl. Secretary to Govt., MA&UD Dept.	Member
6	Prl. Secretary to Govt., IT,E&C Dept.	Member
7	Managing Director, Andhra Pradesh State Fibernet Limited (APSFL)	Member
8	Advisor/ Senior DDG of DoT working in the Licensed Service Area (LSA)	Member Convener
9	CGM, AP Circle, Bharat Sanchar Nigam Limited (BSNL)	Special Invitee
10	CGM, Bharat Broadband Network Limited (BBNL)	Special Invitee
11	Representative from Cellular Operators Association of India (COAI)	Special Invitee
12	Representative from Tower and Infrastructure Providers Association (TAIPA)	Special Invitee

## 6.2. Functions of SLTC:

- 6.2.1. To advice, either suo-moto or on a request from the Governing Council or Steering Committee on the matters relating to accomplishment of the objective of the Mission concerning the State.
- 6.2.2. To facilitate implementation of the guidelines issued by Governing Council or Steering Committee enabling expansion of Broadband services for the socio-economic development of the State.
- 6.2.3. To address all matters regarding Broadband Readiness Index (BRI).
- 6.2.4. Monitoring and evaluation of the work of Mission pertaining to the State.

## 6.3. District Level Telecom Committee (DLTC)

Government constituted a District Level Telecom Committee (DLTC) vide G.O. Rt. No. 12 dt 25.03.2021 under the chairmanship of the District Collector with the following members, in order to deal with the public grievances related to implementation issues of the National Broadband Mission:

#	Designation	Affiliation
1	The District Collector	Chairman
2	The Superintendent of Police (SP)	Member
3	The Joint Collector (V & WS and D)	Vice chairman
4	The District Revenue Officer	Member Convener
5	The District/Divisional Forest Officer (DFO), Forest Department	Member
6	The District Panchayat Officer	Member
7	The Chief Executive Officer, Zilla Parishad	Member
8	The Commissioner or Executive Officer of the concerned ULBs in the District	Member
9	The Superintendent Engineer, R&B	Member
10	The Superintendent Engineer, Panchayat Raj	Member
11	The Superintendent Engineer of Respective DISCOM	Member
12	The District head of BSNL	Member

#	Designation	Affiliation
13	The Circle Head of each Telecom/Infrastructure Service Provider	Member
14	Representative of TERM Cell, Department of Telecom (DoT)	Member

#### **6.4. Functions of DLTC:**

- 6.4.1.** The District Level Telecom Committee shall deal with the public grievances relating to installation of Towers, issues related to Telecom infrastructure in the District/Municipal area and to convene meeting and resolve the public grievances in a time bound manner within 30 days of the complaint.
- 6.4.2.** The recommendations of District Level Telecom Committee (DLTC) shall be adhered to by Municipal Corporation/ Municipality/ Nagar Panchayat/ Gram Panchayat, or any other authority related to the subject in the district. The District Level Telecom Committee (DLTC) shall nominate Assistant Divisional Engineer Telecom (ADET) (Rural)/ Assistant Directors (ADs) from Rural and compliance, Andhra Pradesh Licensed Service Area (AP LSA), Department of Telecommunications (DoT) as nodal officers to coordinate on the public grievances with District level Telecom Committee.

### **7. Categories of Telecom infrastructure**

Telecom infrastructure means the Over ground and Underground telegraph infrastructure as defined in Indian Telegraph Right of Way Rules, 2016 and includes

- 7.1.** Optical Fibre Cable (OFC) – underground or over ground (aerial)
- 7.2.** Mobile towers – Ground Based Towers (GBT), Ground Based Masts (GBM), Rooftop Towers (RTT), Rooftop Poles (RTP)
- 7.3.** Small cell and micro communication equipment or any other appliances, apparatus necessary for effective establishment and maintenance of telecom services

### **8. Role of competent/appropriate authority for issuing permissions for Telecom infrastructure.**

- 8.1.** The competent/appropriate authority, as defined in these guidelines, will receive, and scrutinize the applications for issue of permit in their respective areas for the establishment of Telecom infrastructure for the categories of infrastructure mentioned in para 7 above.
- 8.2.** The representative competent/appropriate authorities will receive the application from the licensed TSP/ IP along with the requisite documents and administrative fees to give the permission for establishment of mobile towers (GBT, RTT, RTP) and laying OFC under their jurisdiction and Telecom infrastructure.
- 8.3.** The competent/appropriate authorities will then scrutinize the application and check the compliance and requirements as per these guidelines.
- 8.4.** The competent/appropriate authorities shall communicate to the applicant about any further requirement in compliance for the issue of permission.
- 8.5.** Finally, the concerned competent/appropriate authorities will issue the permit within the specified time frame as mentioned in these guidelines.
- 8.6.** A periodical monitoring and review of the tower structure, OFC or any other activities relating to the Telecom infrastructure shall be undertaken.
- 8.7.** The Government shall strive to enable the issue of permissions for Telecom infrastructure in online mode.



## **9. Online portal for applications**

- 9.1. A standard application form for the submission of application shall be made available online and the same shall be integrated with Single Window Portal of Industries Department to ease the citizens for utilizing the services.
- 9.2. The online application shall be developed which shall mandate the following features without the requirement of physical touch point as per Ease of Doing Business (EoDB) guidelines:
  - 9.2.1. Submission of application
  - 9.2.2. Payment of fees
  - 9.2.3. Track the status of application.
  - 9.2.4. Download the orders/ proceedings of the competent authority.
  - 9.2.5. Third party verification
- 9.3. Currently, MA&UD and TR&B departments are having portals for according online Telecom Tower/ RoW permissions. The Forest Department also is having a portal (PARIVESH, GoI) developed by NIC. Andhra Pradesh Technology Services (APTS) shall undertake a study on integrating the above portals duly developing a common application for other departments and integrating with existing portals.

## **10. Permission for underground OFC infrastructures**

- 10.1. For enabling smooth rollout and for granting timely permission for laying of OFCs, the RoW procedures for various authorities under their control have been outlined in these Guidelines.
- 10.2. As far as practicable, competent/appropriate authorities shall allow the use of machinery for the purpose of installation of underground OFC infrastructure. Open cutting of the main carriageway (roadway) in transverse direction is not allowed in Municipalities and Corporation areas, except under exceptional circumstances and Horizontal Direction Drilling (HDD) method shall be allowed for crossing the road. Open cutting may be allowed in longitudinal direction of the road.
- 10.3. Process of application:
  - 10.3.1. For projects of national importance leading to creation of national assets funded by the Government of India, such as BharatNet, National Optical Fibre Network (NOFN) etc., the Nodal Department may be approached.
  - 10.3.2. For other purposes, the applicant will apply to the respective competent/appropriate authority for permission.
- 10.4. The applicant shall have no right on the property which has been approved to use for the establishment and maintenance of the OFC infrastructure.
- 10.5. The applicant will be liable for the repair/ restoration of any damage caused to the property during implementation of the scheme. The applicant shall ensure making good the excavated trench for laying underground OFC by proper filling and compaction, so as to restore the land including roads, drain, water pipelines, stand posts, reservoirs, water treatment plants and any other damaged public infrastructure into the same condition as it was before digging the trench, clearing the debris/ loose earth produced due to the execution of trenching the portion for which RoW has been granted. Such repairs/ restoration works shall be carried out according to the instructions of the concerned competent/appropriate authority. The concerned officials may supervise the execution of work to ascertain if the conditions imposed in the grant of permission are observed by the applicant.
- 10.6. The applicant shall not claim exclusive right on the RoW and subsequent user will be allowed to use the RoW either above or below or by the side of the utilities laid by the first user, subject to technical requirements being fulfilled.
- 10.7. In case of violation of provisions of the Guidelines by any service provider, the competent/appropriate authority will issue a show cause notice to the service provider with a copy to the Licenses Service Area (LSA) Unit of DoT. In case a



satisfactory reply is not received within 15 days of the issuance of the show cause notice, the permission/ no objection issued to the service provider will be cancelled.

- 10.8.** The list of supporting documents to be submitted by the applicant for establishment and maintenance of OFC, the fee structure, procedure for grant of permission by the competent/appropriate authority, and the implementation procedure are provided in **Annexure – 1**.

#### **11. Permission for Over ground / Aerial OFC infrastructure.**

- 11.1.** RoW for aerial OFC infrastructure shall not normally be encouraged. However, the use of overhead OFC shall be limited to temporary use and shall be as per the Telecommunications Engineering Centre (TEC) Guidelines on the subject.
- 11.2.** The applicant will make the agreement with the concerned authority for the utilization of electric poles/ distributed network system.
- 11.3.** The Energy department/ Distribution Companies (DISCOM) shall not be held responsible for any loss to the cable or the commercial operation loss to the applicant due to theft or for any other reason whatsoever. The responsibility for the safety of the cable shall be entirely with the applicant.
- 11.4.** The Applicant will submit application with the right of usage of the utility pole to the offices of competent/appropriate authority. Application along with documents as mentioned in these Guidelines shall be submitted in addition to the number of poles to be used and route chart.
- 11.5.** If the route of aerial cabling is covering more than one jurisdiction, the Applicant will apply separately to the competent/appropriate authorities of the respective jurisdiction for issue of permit.
- 11.6.** The procedure for application, fee structure and grant of permission by the competent/appropriate authority are provided in **Annexure – 1**.
- 11.7.** The Right of Way (RoW) guidelines of providing the permission for Over ground / Aerial OFC infrastructure shall follow as per G.O.Ms.No.15, Energy, Infrastructure & Investment (Power.I) dept., dt. 11.06.2018 or as amended by Energy dept., from time to time.

#### **12. Permission for mobile towers.**

- 12.1.** The State Government, through the competent/appropriate authorities, will provide expeditious approval for setting up Telecom infrastructure in the State as per the provisions of these Guidelines.
- 12.2.** The permission wherever issued under these Guidelines to any applicant shall be co-terminus with the validity of the license/ registration certificate issued to the applicant by the DoT.
- 12.3.** The applicant shall submit an application with all the relevant information mentioned along with enclosures to the office of the competent/appropriate authority for the area in which they intend to install the Telecom infrastructure.
- 12.4.** For all the existing Telecom infrastructure in the State which are operational by the respective Telecom operators, wherein formal permission has not been issued by the competent/appropriate authorities and application has not been submitted, shall be regularized upon submission of application as per provisions of these Guidelines. Such applications shall be submitted within six (6) months of issuance of these Guidelines, after which these Telecom infrastructures shall be deemed to be unauthorized. Once the application is submitted within due date and time, the operations of the mobile towers shall not be discontinued till the disposal of the application by the competent/appropriate authority or the disposal of appeal (if any) filed before the competent authority, whichever is later. In case the permission has not been granted within 30 days, the applicant shall re-approach the competent/appropriate authority after the 30<sup>th</sup> day from the submission of the



complete application, on which the competent/appropriate authority is required to revert in next 15 days.

- 12.5. For all the entire existing Telecom infrastructure in the State which have been abandoned by a telecom operator/ infrastructure provider/ applicant, the District Level Telecom Committee (DLTC) of the respective District shall have exclusive authority to take necessary action as deemed appropriate.
- 12.6. Electronic Magnetic Fields (EMF) are invisible areas of energy, often referred to as radiation, that are associated with the use of electrical power. The norms and mechanisms laid by DoT, modified from time to time regarding the levels and limitations of EMF Radiation are to be strictly followed by the service providers/ operators. The Applicant shall submit an undertaking in this regard along with the application and also get clearances from the Standing Advisory Committee for Frequency Allocation (SACFA) wherever applicable.
- 12.7. The restrictions to erect Telecommunication Infrastructure Towers in case of Water Bodies, Railways, Electrical Lines, Airport, Defence Establishments, Oil / Gas Pipelines, Heritage Structures shall follow the G.O. Ms. No. 146, MA&UD department dated 19.06.2015.
- 12.8. The Government and service providers shall together endeavour to hold community awareness programs, drives and initiatives to address the misconceptions regarding EMF radiations amongst the public. These programs shall also be a subject of review at SLTC/DLTC meetings.
- 12.9. The procedure for application, fee structure and grant of permission by the competent/appropriate authority, are provided in **Annexure – 2**.

### **13. Permission for small cell, micro cell, and micro-communication equipment**

- 13.1. The Government of Andhra Pradesh promotes the installation of micro-communication equipment where the installation of mobile towers i.e., GBT, RTT or RTP may not be feasible.
- 13.2. The micro-communication equipment being small equipment can be installed on any type of land/ building/ zone across the State regardless of its specified land use including but not limited to the premises listed herein: institutional/ Government buildings/ residential buildings including multi-storied buildings/ group housing complexes/ buildings used for industrial and commercial purposes/ on-street electric poles, telegraph poles and other structures.
- 13.3. The height restrictions in airport funnel area as well as HT/ LT shall be followed, as per the G.O. Ms. No. 146, MA&UD department dated 19.06.2015 (G.O. 18<sup>th</sup> read above).
- 13.4. The TSP/ IP shall submit completed application form along with relevant information and documents to the respective competent/appropriate authority for the concerned area in which they want to install the micro-communication equipment.
- 13.5. The procedure for application and fee structure for the establishment and maintenance of the micro communication equipment are provided in **Annexure – 3**.

### **14. Obligations of approved applicants (TSPs/ IPs) in undertaking works**

- 14.1. The obligations listed herein are applicable to the underground and over ground/ aerial OFC infrastructure creation.
- 14.2. The Applicant shall submit the bank guarantee within a period of thirty (30) days from the date of grant of permission and prior to the commencement of work of laying the underground telegraph infrastructure. The bank guarantee shall be released 12 months after completion of restoration by the service provider.
- 14.3. The Applicant shall ensure that prior to the commencement of work of laying the underground telegraph infrastructure and at all times during the execution of work,



the measures to mitigate public inconvenience and provide for public safety are implemented and the work of laying underground telegraph infrastructure is carried out in accordance with the conditions specified in the grant of permission by the competent/appropriate authority.

- 14.4. The Applicant shall ensure provision of positional intelligence, through appropriate technology, like GIS map etc, of all underground telegraph infrastructures to enable the nodal department/ competent/appropriate authority to obtain real time information on its location.
- 14.5. The applicant shall furnish a completion certificate after installation of the infrastructure in compliance to these Guidelines.

#### **15. Restrictions to erect Telecom Infrastructure Towers (TIT)**

- 15.1. The MA&UD department, vide G.O. Ms. No. 146, dated 19.06.2015 (G.O. 18<sup>th</sup> read above), has imposed certain restrictions on erecting TIT.
- 15.2. These rules and restrictions shall be adhered to by all the licensed service providers (TSPs/ IPs) and applicants. Failure to comply with the same shall result in cancellation of permission and/ or levy of applicable penalties.

#### **16. Time frame for Approvals by competent/appropriate authorities**

- 16.1. The competent/appropriate authority shall strive to grant permission within a period not exceeding thirty (30) days from the date of receipt of application made for establishment of Telecom infrastructure:
  - 16.1.1. Grant permission on such conditions including, but not limited to, the time, mode of execution, measures to mitigate public inconvenience or enhance public safety and payment of restoration charge, as may be specified, subject to the provisions of the Act and rules made there under.
- (Or)
- 16.1.2. Reject the application for reasons to be recorded in writing.
- 16.2. Provided that no application shall be rejected unless the applicant licensee has been given an opportunity of being heard on the reasons for such rejection.
- 16.3. However, in forest areas, the appropriate authority (DFO) shall be bound by the time frame given in the SLAs as per the Forest Conservation Act in processing the application.
- 16.4. Provided further that the permission shall be deemed to have been granted (for other than forest areas) if the competent/appropriate authority fails to either grant permission under 16.1.1 or reject the application under 16.1.2; and the same shall be communicated in writing to the applicant not later than five (5) working days after permission is deemed to have been granted.

#### **17. Right of competent/appropriate authorities for removal of OFC/ mobile towers/ other related Telecom infrastructure**

- 17.1. Where the competent/appropriate authority, having regard to circumstances which have arisen since the establishment of any telegraph infrastructure under, over, across, in or upon, any immovable property vested in or under its control or management of that competent/appropriate authority, that is necessary and expedient to remove or alter such telegraph infrastructure, it shall issue a notice to the applicant, being the owner of such telegraph infrastructure to remove or alter its location.
- 17.2. On receipt of the notice, the applicant shall, forthwith and within a period of thirty days, proceed to submit, to the competent/appropriate authority, a detailed plan for removal or alteration of such telegraph infrastructure.
- 17.3. The competent/appropriate authority shall, after examination of the detailed plan submitted by the applicant, pass such orders as it deems fit.



- 17.4. Provided that the competent/appropriate authority shall, having regard to emergent and expedient circumstances requiring the removal or alteration of such telegraph infrastructure, provide reasonable time of not less than thirty (30) days to the licensee for removal or alteration of such telegraph infrastructure.
- 17.5. Provided, further that the responsibility and liability, including the cost at thereof, for removal or alteration of such telegraph infrastructure shall be borne by the applicant / licensee / legal owner of the infrastructure.

## **18. Resolution of disputes**

- 18.1. The Principal Secretary to Government, IT, E&C department, GoAP is appointed, as the Dispute Resolution Officer (DRO), vide Gazette 20<sup>th</sup> read above, for the State of Andhra Pradesh.
- 18.2. The Joint Collector (V, WS&D) shall act as the District Nodal Officer for resolution of disputes at the competent/appropriate authority level.
- 18.3. The dispute resolution process shall be as per G.O. 23<sup>rd</sup> read above and covered in para 6 of these Guidelines.

## **19. Penalties**

- 19.1. If an Applicant violates any provision of these Guidelines, it shall be liable to be penalized as per following terms and conditions:
  - 19.1.1. As soon as competent/appropriate authority comes to know that any provision has been violated, a show cause will be issued to TSP/IP. TSP/IP should reply within 15 days from date of service of notice.
  - 19.1.2. If reply is not satisfactory, the TSP/ IP will be levied penalty as deemed fit. The penalty levied shall be recovered from the Bank Guarantee provided by the Applicant to any of the competent/appropriate authority in case the amount is not deposited within the time period specified by the competent/appropriate authority. Also, if warranted, the permission granted to the Applicant may be withdrawn.

## **20. Miscellaneous**

- 20.1. The agencies of various utility service providers extending services such as electricity distribution company (DISCOM), water supply pipes, sewerage, RoW works (PWD) etc. while undertaking new construction/ repair works in specific alignment to OFC shall intimate to the concerned competent/appropriate authority and also to the concerned TSP/ IP providers not less than 15 days before the start of work so as to give sufficient time to the TSP/ IP to make plans for shifting of OFC/ alternate route in order to avoid disruption in mobile/ internet services.
- 20.2. As the TSP/ IP are providing Telecom services, planned temporary power shutdowns to Telecom installations shall not be done without prior notice to the concerned TSP/ IP at least 15 days in advance.
- 20.3. The provisions of the Forest Conservation Act, 1980 and Rules made there under and the guidelines issued by Gol from time to time under the Forest Conservation Act, 1980 shall be applicable wherever the concerned competent/appropriate authority is the Divisional Forest Officer (Territorial)/ Divisional Forest Officer (Wildlife).
- 20.4. The other conditions stipulated in G.O. Ms. No. 146 of MA&UD department dated 19.06.2015 (G.O. 18<sup>th</sup> read above) regarding restrictions to erect the Telecom Infrastructure Tower (TIT) and basic requirements on erection of the same, including setback for GBTs/ rooms, shall be followed.
- 20.5. The last-mile Public Wi-Fi Hotspot service providers may leverage provisions under the framework of Prime Minister's Wi-Fi Access Network Interface (PMWANI). Details about the scheme are available at <https://dot.gov.in/data-services/2826>

- 20.6. Gol and GoAP are focusing in setting up of telecom infrastructure in Left Wing Extremism (LWE) affected locations of AP state. All authorities, as a priority, shall ensure that norms of this order are complied with, in LWE affected locations and timelines must be further reduced wherever possible. GoAP, vide G.O. 25<sup>th</sup> read above, has constituted a committee for Monitoring Project and resolving implementation issues relating to installation of Mobile Towers in the LWE effected locations.
- 20.7. The Government is aimed at providing better connectivity in tribal areas. The Right of Way (RoW) guidelines for providing the Telecom/Tower Infrastructure services in the tribal areas notified by the GoAP may follow as per the model tripartite agreement attached at **Annexure-4** or as amended by Tribal Welfare Department from time to time.

21. The Guidelines shall come into force with immediate effect.

22. This order issues with the concurrence of Finance Department vide their U.O.No. FIN01-FMU0PC/59/2021-FMU-GAD-I, dated:02.09.2021

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**G. JAYALAKSHMI**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

**To**

All the Spl. Secretaries/ Secretaries/ Prl. Secretaries/ Spl Chief Secretaries of AP Secretariat  
All the HODs in the State of Andhra Pradesh  
All the District Collectors  
All the Commissioners of Police/ Superintendent of Police

**Copy to:**

The PS to Chief Secretary to Government  
The PS to Hon'ble Minister III&C, IT,E&C and SD&T

**// FORWARDED :: BY ORDER //**

*Y. Venkata Rao*  
**SECTION OFFICER (FAC)**

*N*



## **Annexure – 1**

**(to G.O.Ms.No.8 – IT,E&C Department -Dt 06.09.2021)**

### **Procedure for application, fee structure and grant of permission by the competent /appropriate authority**

#### **1. Supporting documents to be submitted by the applicant for establishment and maintenance of OFC.**

- 1.1. Copy of the license granted by the Union Government.
- 1.2. Details of the underground telegraph infrastructure proposed to be laid.
- 1.3. Mode and time duration for execution of the work
- 1.4. Time of day when work is expected to be done in case the applicant expects work to be done during specific time of the day.
- 1.5. Details of expenses that such competent/appropriate authority will necessarily be put in consequence of the work proposed to be undertaken by the applicant.
- 1.6. Inconvenience that is likely to be caused to the public and specific measures proposed to be taken to mitigate such inconvenience.
- 1.7. Specific measures proposed to be taken to ensure public safety during the execution of the work.
- 1.8. No Objection Certificate (NOC) from private owner for use of their land for OFC laying
- 1.9. Names and contact details of the representative of the applicant, connected with or relative to the work proposed to be undertaken.
- 1.10. Key map showing the location of road cutting.
- 1.11. Detailed drawing showing the plan of the proposed laying of the OFC cable with measurements.
- 1.12. Method of restoration
- 1.13. Copy of Access Service License/ IP Registration certificate from Department of Telecommunications.
- 1.14. Any other matter relevant in the opinion of the applicant, connected with or relative to the work proposed to be undertaken.
- 1.15. Any other matter connected with or related to the work as may be specified, through a general or special order by the Union Government or appropriate State Government or appropriate competent/appropriate authority.
- 1.16. The applicant, while making the application, give a specific commitment on whether it undertakes to discharge the responsibility for restoration, to the extent reasonable and prudent, of the damage that the competent/appropriate authority shall necessarily be put in consequence of the work proposed to be undertaken.

#### **2. Fee structure for underground OFC infrastructures**

- 2.1. A fee of INR 1,000/- per km shall be levied as one-time permission fee for underground OFC infrastructure, irrespective of urban or rural area.
- 2.2. The above charges are exclusive of GST, labour cess and other applicable taxes.

#### **3. Grant of permission by competent/appropriate authority for underground OFC infrastructures**

- 3.1. The competent/appropriate authority shall examine the application with respect to various factors including, but not limited, to:
  - 3.1.1. The route planned for the proposed underground telegraph infrastructure and the possible interference either in the establishment or maintenance of

such infrastructure, with any other public infrastructure that may have been laid along the proposed route.

- 3.1.2. The mode of execution.
  - 3.1.3. Time duration for execution of the work and the time of day that the work is proposed to be executed.
  - 3.1.4. Estimation of expenses that the competent/appropriate authority shall necessarily be put in consequence of the work proposed to be undertaken.
  - 3.1.5. Responsibility for restoration of any damage that the competent/appropriate authority may necessarily be put in consequence of the work proposed to be undertaken.
  - 3.1.6. Assessment of measures to ensure public safety and inconvenience that the public is likely to be put to in consequence of the work proposed and the measures to mitigate such inconvenience indicated by the applicant.
  - 3.1.7. Any other matter connected with or related to the establishment or maintenance of OFC, through a general or special order, by the Union Government, appropriate State Government, or the competent/appropriate authority.
- 3.2. The road cutting restoration may be self-restored by the service provider duly submitting the bank guarantee to the respective Department or may be restored by the department. In case of departmental restoration, the road cutting restoration charges are to be paid by the service provider to the respective Departments. The details are as follows:
- a. **Self-restoration:** The terms & conditions and bank guarantee to be provided by the Service Providers to the Departments are as per the Para 5(a) and (b) of the G.O.Ms.No.12, ITE&C Dept, dt 28.07.2014 read with G.O.Ms. No.2, TR&B Department, dated 4.1.2019.
  - b. **Departmental Restoration:** The terms and conditions towards the road cutting restoration charges to be paid by the service provider to the Departments are as follows:

S.No	Type of Road	Restoration Charges per RM (as per SSR 2020-2021)	
		Urban	Rural
1	BT Roads	Rs. 2126	Rs. 2090
2	CC Roads	Rs. 1974	Rs. 1936
3	WBM Roads	Rs. 1260	Rs. 1221
4	Foot paths / Paver Blocks	Rs. 1035	Rs. 986
5	Shoulders / Berms	Rs. 359	Rs. 358
6	Beyond Toe of embankment for a cross section of 0.4mx1.2m	Rs. 116	Rs.116
7	Beyond Toe of embankment for a cross section of 0.5mx1.65m	Rs. 200	Rs. 199
8	Micro Trenching Technology for depth of 600 mm, 50 mm, width and install 3 to 4 ducts of 40 mm dia.	Rs. 50	Rs. 50
9	HDD Pits on Berm / Earthen Road formation (each pit of size 2mx1mx2m).	Rs. 648	-



- 3.3. The revision of above restoration charges will be in accordance with revision of SSR by GoAP from time to time. The change in the restoration charges will be based on the prevailing SSR during that period.
- 3.4. The above fees are exclusive of GST and centage charges. GST at 18% is applicable on restoration charges. Centage charges at 16.5% will added on the total estimate, i.e., road cutting restoration charges + GST. The restoration work will be carried out entirely by the concerned department.
- 3.5. No RoW permissions shall be accorded during Monsoon period of each year i.e. 1<sup>st</sup> July to 15<sup>th</sup> September. However, in case of any urgency, the restoration charges levied shall be 2.5 times more than the normal charges.
- 3.6. The amount received towards road cutting restoration charges/ RoW permission fee shall be credited to the respective approving Government department account. The Central Portal will remain common for the sake of application and issue of the approvals. However, the fees will be credited to the respective approving Government department account.
- 3.7. Preferably, the OFC infra structures shall be laid at the extreme edge of ROW of the Road.
- 3.8. The OFC infrastructures shall not be laid in the formation/berm portion of highway/ Road except where it is specially approved by the authority.

#### **4. Implementation procedure**

- 4.1. The service provider will start the work after fulfilling all the conditions outlined in these guidelines. The service provider will have to inform the date of start of the work to the concerned competent/appropriate authorities as the case may be.
- 4.2. If any damage is caused to the Government property by the work of the applicant, then it will be the responsibility of the applicant to restore the same at its own cost or compensate for the damage. If delivery of service is affected, then the applicant must restore the service within 24 hours and the applicant will have to carry out the work according to the instructions of the concerned competent/appropriate authorities.
- 4.3. In case the competent/appropriate authority intends to increase the width of the road then the applicant will have to shift the trench dug by it to the safe distance on its own cost at the place suggested by the competent/appropriate authority.
- 4.4. The applicant shall inform the concerned competent/appropriate authority 3 days in advance about repair or maintenance work in cases where such maintenance is planned in advance.
- 4.5. If the private land or structures are to be used in this work, then the Applicant has to give compensation for the private land or the crop as the case may be. In case of any conflict, the decision of the competent/appropriate authorities shall be binding on both parties.

#### **5. Permanent ducts constructed by the State agencies along roadside for establishing OFCs.**

- 5.1. The applicant shall pay utility fees for using the duct constructed by the State agencies along highways, main roads and district roads or other relevant areas. The fees will be decided by the State Government from time to time.
- 5.2. The OFC ducts shall be made shareable with other operators/ service providers.
- 5.3. The permission to use such ducts shall be under the purview of the concerned competent/appropriate authority.
- 5.4. No applicant shall be allowed to undertake separate digging along roadside in the same alignment in which the permanent ducts have been provided.
- 5.5. No Bank Guarantee shall be collected from the applicant if they use the State agency ducts to lay the OFC infrastructure.

6. Utility fees /rent to use such ducts built up by the State Government, shall be decided by the State Government from time to time.

**7. Fee Structure for Over ground/aerial OFC infrastructures**

- 7.1. The charges for using the distribution system of the State DISCOMs shall be as follows:

S. No.	Particulars	Fee (INR)
1	Rental charges in Municipalities and Municipal corporations	Rs.50/- per pole per month
2	Rental charges in Mandal headquarters and rural areas	Rs.35/- per pole per month

- 7.2. The above charges are exclusive of GST, labour cess and other applicable taxes.

**8. Grant of permission by competent/appropriate authority for over ground/ aerial OFC infrastructures.**

- 8.1. If the competent/appropriate authority finds the application in compliance with the entire requirement, then it will issue the permit to the applicant within the prescribed time as per G.O.Ms.No.15, Energy, Infrastructure & Investment (Power.I) dept., dt.11.06.2018.

**9. Implementation procedure for Over ground/aerial OFC infrastructures.**

- 9.1. Implementation procedure for Over ground/aerial OFC infrastructures shall follow as per G.O.Ms.No.15, Energy, Infrastructure & Investment (Power.I) Department, dt.11.06.2018 or as amended by Energy dept., from time to time.

**10. Supporting documents to be submitted by the applicant for establishment and maintenance of Over ground/aerial OFC infrastructures.**

- 10.1. The supporting documents to be submitted by the applicant for establishment and maintenance of Over ground/aerial OFC infrastructures shall follow as per G.O.Ms.No.15, Energy, Infrastructure & Investment (Power.I) dept., dt. 11.06.2018 or as amended by Energy dept., from time to time.



## **Annexure – 2**

**(to G.O.Ms.No.8 – IT,E&C Department -Dt 06.09.2021)**

### **Procedure for application, fee structure and grant of permission by the competent /appropriate authority**

#### **1. Supporting documents to be submitted by the applicant for establishment and maintenance of mobile towers (GBT, RTT, RTP)**

- 1.1. Copy of the registration certificate/ license granted by the DoT.
- 1.2. Data sheet: Name of IP/ TSP, tower type, location, latitude and longitude of the proposed tower location, extent of land required for establishment of the mobile tower (if it is with respect to Government land), details of the building or structure where the establishment of the mobile tower is proposed, names and contact details of employees of the applicant for the purpose of communication.
- 1.3. Copy of soil test report for GBTs.
- 1.4. Copy of structural stability certificate for RTTs and the certificate shall be from a State Government authorized structural engineer registered with the competent/appropriate authority.
- 1.5. Copy of the type test certificate issued by any authorized agency to the manufacturers of the DG sets, if the DG sets are to be installed at the site
- 1.6. Drawing of the tower with complete details including the specifications of foundations and design parameters
- 1.7. Indemnity bond (original) to take care of any loss or injury to accident caused by the tower except for reasons of force majeure (including declaration to the effect that the applicant will take necessary precautions for fire safety and lightning, and it shall be solely responsible for paying all kinds of compensation and damages and would be responsible for case arising there from).
- 1.8. Three copies of Location Plan, Site Plan, Elevation Plan and Structure plan.
- 1.9. NOC from building/ landowner where Mobile tower is proposed to be installed & authorized person in case of Government premises.
- 1.10. NOC from AP State Disaster Response & Fire Services department
- 1.11. NOC from AP State Environment, Forest and Science & Technology department
- 1.12. Copy of SACFA clearance/ application for the said location submitted to Wireless Planning & Coordination (WPC) wing of DoT with registration number as WPC acknowledgement along with undertaking that in case of any objection/ rejection, TSPs/ IPs will take corrective actions/ remove the tower.
- 1.13. Any other matter relevant, in the opinion of the Applicant, connected with or related to the work proposed to be undertaken.

#### **2. Fee structure**

- 2.1. The applicant shall deposit the following one-time fees along with the application. The Government of Andhra Pradesh notified the existing charges vide MA&UD department G.O. Ms. No. 146 dated 19.06.2015 (G.O. 18<sup>th</sup> read above) and PR&RD department G.O. Ms. No. 334 dated 09.10.2012 (G.O. 7<sup>th</sup> read above). The same shall be continued without any changes. The permit issued shall be a work permit and the construction or erection of telecommunication tower or telecommunication pole structures or accessory rooms essential for the use of such tower or pole structures shall be completed within one year from the date of issue of such permit. The period of the permit shall be extended for a further period of one year from the date of expiry of permit if an application for the same is submitted to the Sanctioning Authority, within one month after expiry of validity period of the permit duly paying 25% of the prescribed fee, charges and in the prescribed form duly attaching the original permit.

S. No.	Grade of the Urban Local Body	Amount per application (INR)
1	All Corporations	1,00,000/-
2	Selection, special and first grade	75,000/-
3	Second and third grade	50,000/-
4	Nagar Panchayats	30,000/-
5	Gram Panchayats falling in Urban Development Authority limits	30,000/-

S. No.	Local Body	Amount per application (INR)
1	Gram Panchayats - Cell tower installation fee (One time) a) Ground based towers b) Roof top towers	15,000/- 12,000/-
2	License renewal fee (annual) for GBTs/ RTTs in Gram Panchayats	1,000/-

The Gram Panchayat may collect a fee of Rs.1000/- along with the application to grant a temporary permit to erect the towers and related structures to all eligible applicants who fulfilled the site norms prescribed

2.2. The above charges are exclusive of GST, labour cess and other applicable taxes.

### 3. Conditions for grant of permission by competent/appropriate authority

- 3.1. Without the certification of a structural engineer practicing in the field of structural engineering registered with competent/appropriate authority, the GBT or RTT or RTP shall not be allowed on land, wall, or roof top of the building.
- 3.2. The GBT or RTT or RTP shall be checked for structural stability on extreme wind conditions, earthquake resistance, soil bearing capacity, foundations etc. by the empanelled structural engineer.
- 3.3. This certification confers compliance of the design with relevant Indian Structural Design Standards, Codes of Practice, and conditions of these Guidelines.
- 3.4. The empanelled structural engineer has to certify the stability of the structure from the point of view of safety, with special reference to velocity of wind, present stage of the material, anchoring etc.
- 3.5. The Structural Engineer shall be accountable for structural soundness of the GBT or RTT or RTP.
- 3.6. Certified structural engineer should do the annual audit of the structure and report should be submitted to competent authority.
- 3.7. The structural stability certificate shall be submitted at the time of erecting the GBT or RTT or RTP.
- 3.8. In case of Roof Top Tower, the Occupancy certificate issued by the Urban Local Body shall be insisted.
- 3.9. The electrical connections to the GBT, or RTT or RTP shall be in accordance with relevant Bureau of Indian Standards (BIS) and Bureau of Energy Efficiency (BEE).
- 3.10. To promote conservation of electricity, it is important that as far as possible, the GBT, or RTT or RTP shall draw power from alternate renewable resources like Solar Power etc.,



### **Annexure – 3**

**(to G.O.Ms.No.8 – IT,E&C Department -Dt 06.09.2021)**

#### **Procedure for application and fee structure for the establishment and maintenance of micro-communication equipment.**

#### **1. Supporting documents to be submitted by the applicant for establishment and maintenance of micro-communication equipment.**

- 1.1. Copy of the license/ infrastructure provider registration from DoT.
- 1.2. Data sheet: Name of TSP/ IP, site location with GPS coordinates
- 1.3. Copy of clearance from Fire Safety department in case of high-rise buildings where fire clearance is mandatory.
- 1.4. Indemnity Bond (Original) to take care of any loss or injury to accident caused by the tower (including a declaration to the effect that the Applicant will take necessary precautions for fire safety and lightning, and it shall be solely responsible for paying all kinds of compensation and damages and would be responsible for case arising there from).
- 1.5. NOC from building/ landowner and authorized person in case of Government premises

#### **2. Fee structure**

- 2.1. The fee payable was notified by the IT,E&C department through G.O. Rt. No. 1 dated 02.01.2015 (G.O. 17<sup>th</sup> read above), and the same shall be continued without any changes.

1	Municipal Corporations/ Selection Grade/ Special Grade Municipalities	INR 15,000/- per unit
2	First/ second/ third grade Municipalities and Nagar Panchayats	INR 10,000/- per unit
3	All Gram Panchayats	INR 5,000/- per unit

- 2.2. The above charges are exclusive of GST, labour cess and other applicable taxes.

**Annexure – 4**

**(to G.O.Ms.No.8 – IT,E&C Department -Dt 06.09.2021)**

**Model Tripartite Agreement for the provision of Telecom Infrastructure services in tribal areas.**

**AGREEMENT**

This agreement entered into on this the ..... (dd-mm-yyyy) by and between Gram Sabha of ..... Village, of .....GP in .....Mandal of .....District, represented by its Vice President/Secretary of Gram Sabha, Sri ..... ST, aged.....years..... resident of ..... Village of .....GP in .....Mandal. (hereinafter referred to as **Facilitating Agency**)

**AND**

..... Company duly registered under..... Act having its registered office at.....and having its administration office at..... (Herein after referred **Telecom /Tower Service Provider**) for the purpose of this contract, duly represented by ....., (Designation)

**AND**

**AP State ST Cooperative Finance Corporation Ltd. (TRICOR)**, an entity of Tribal Welfare Department, Government of Andhra Pradesh represented by its MD Mr / Mrs..... (hereinafter referred to as the **Intermediary Agency**)

Whereas the Telecom /Tower Service Provider is a company which has come forward for providing Telecom Infrastructure facility including installation of equipment for telecommunication networks in \_\_\_\_\_ (area).

Whereas the Facilitating Agency is a Gram Sabha which has taken decision to facilitate the Service Provider for installation of equipment of Telecom/Tower Infrastructure Project.

Whereas the AP TRICOR, is willing to operate as an Intermediary Agency to ensure the agreed payments made by the Telecom/Tower Service Provider, are credited to the accounts of the Facilitating Agency and Land Owned Entity.

Whereas the “**Land Owned Entity**” which expression shall whenever the context so requires mean and include the Individual landowners (Tribal or Non-Tribal) or authorized land holder including the Government Institutions, Government owned Corporations, Gurukulams, ITDAs, Local Self Government Institutions (Gram Panchayats, Mandal Praja Parishads, Z.P or any other Institution which is under the control of Government of Andhra Pradesh).

Whereas the Facilitating Agency shall assure the Telecom/Tower Service Providers to execute the Telecom Infrastructure Project services work without any difficulty after the Facilitating Agency obtaining a NOC from the concerned Institutions referred above as well as an MOU from the consenting Individual land owners.

Whereas The Government of Andhra Pradesh is committed to expedite the roll-out of the services on a fast track basis with a specific emphasis on ensuring wide network coverage, connectivity to various Governmental Organizations, various IT initiatives etc. For which Government sites / Quasi Government sites are required for setting up of Telecom/Tower Infrastructure by the Telecom/Tower Service Providers. This agreement is for the purpose of providing Telecom/Tower Infrastructure in the Scheduled Areas of the State. The



Telecom/Tower Service Provider shall undertake the installation of equipment for telecommunication networks in the sites earmarked for the purpose.

**NOW, THEREFORE, THE PARTIES HEREBY AGREE** as follows:

The Telecom/Tower Infrastructure project shall focus on the following aspects:

1. The Telecom /Tower Service Provider shall arrange the required Telecom/Tower Infrastructure material and also undertake the responsibility of installation of equipment of telecommunication networks in the sites held by the Facilitating Agency. The Telecom / Tower Service Provider during the agreement tenure may add / remove / replace / operate / maintenance all or any equipment /materials.
2. The Telecom /Tower Service Provider shall have access to use the space provided by the Facilitating Agency on 24X 7 basis.
3. The Facilitating Agency shall make available the earmarked sites (Base Station Tower sites) to the Telecom/Tower Service Providers for execution of the project without any intervention of any third party.
4. The Facilitating Agency shall continue to have control over the earmarked sites for the Telecom/Tower Infrastructure installed by the Telecom Service Provider. All the required electricity connections to be given to the Telecom/Tower Infrastructure Project shall be in the name of the Facilitating Agency and the Telecom Service Provider shall reimburse the electricity charges to Facilitating Agency.
5. The Telecom/Tower Service Provider shall pay the monthly consideration up to Rs 5.00 per SFT for which the March 2016 is the base year and in addition to it the Service Provider shall also pay the escalator factor of 5 % for block of every two years thereafter. This is fixed on the similar lines of the G.O.Ms.No.37, Finance (FMU-TR&B) Dept., dated 07.03.2016. The period of agreement is 20 years commencing from \_\_\_\_\_ and expiring on \_\_\_\_\_. Thus, the total amount payable to the Land Owned Entity will be calculated as of the date on which land was facilitated by the Facilitating Agency to execute the project.
6. The Telecom/Tower Service Provider shall also deposit the earnest money deposit (EMD) amount which is equivalent to two years rent payable to the Land Owned Entity.
7. The Telecom /Tower Service Provider shall also pay the amount to the Facilitating Agency 10 percent or Rs 1000 per month whichever is higher, over and above the consideration payable to the Land owned Entity to safeguard the interests of both the land owned entity as well as the Telecom Service Provider.
8. The Telecom/Tower Service Provider shall transfer the amounts mentioned in the points 5 to 7 to the account of Intermediary Agency, which shall within 24 hours on receipt of the amount, ensure transfer of the same amounts to the Land Owned Entity and the Facilitating Agency, respectively.
9. The Telecom/Tower Service Provider is not responsible for any delay /difference or dispute in the Intermediary Agency making payment to the Land Owned Entity or the Facilitating Agency, after it has transferred the amounts as per the agreement to the Intermediary Agency.
10. In the event of any difference amongst parties to this agreement, the same will be sorted out by negotiations/conciliation within 30 days from the date of reporting of such deviations by any one of the party subject to the provisions of AP Agency Rules 1924.

11. The Telecom/Tower Service Provider shall be responsible for the payment of all the documentation expenses for all the documents required to execute the project and also the expenses if any required.
12. The Telecom/Tower Service Provider in the event of exit from the agreement shall issue 60(sixty) days' prior notice to Facilitating Agency and Intermediary Agency.
13. All the parties to this Agreement are bound to the terms and conditions of the same and if any party(s) to the Agreement breaches the terms and conditions, then aggrieved party made terminate this agreement after giving prior three month notice to the other parties, affording an opportunity to explain their position and the agreement shall stand terminated if the breach is not remedied during the notice period.
14. The Service Provider if required shall engage the local tribals in any the works of the project other than the works which required considering specific professional skills and provide employment to them.
15. Any dispute arising from the Agreement shall be resolved in the Agency Courts only.

**For the Telecom/Tower  
Service Provider**

**-For Intermediary Agency**

**-Facilitating Agency**

**(Signature )**

**( Signature )**

**Gram Sabha**

Place:

Date:

**Witnesses:**

1.

2.

3.

**\*\* End of the Document \*\***